

Appl. No.: 10/672,655  
Amdt. dated June 22, 2005  
Reply to Office action of March 21, 2005

**Amendments to the Drawings:**

The attached sheet of drawings includes changes to FIG. 2. This sheet, which includes FIGS. 2, 4, and 6, replaces the original sheet including FIGS. 2, 4, and 6. FIG. 2 is now labeled as Prior Art.

Attachment: Replacement Sheet  
Annotated Sheet Showing Changes

**REMARKS**

This Amendment responds to the Office Action dated March 21, 2005.

The Examiner objected to the drawings, requiring that FIG. 2 be labeled as prior art because it illustrates only that which is old. Enclosed is a corrected sheet labeling FIG. 2 as prior art.

The Examiner rejected claims 1-2, 4, 6, and 8 under 35 U.S.C. § 102(b) as being anticipated by what the Examiner contends is applicant's admitted prior art shown in FIGS 1 and 2. The Examiner's rejection is improper for two reasons. First, as further explained below, the prior art generally depicted in FIGS 1 and 2 does not disclose the claim limitation "wherein said surface is electrically interconnected to said second conductive member", which is recited in independent claim 1 and therefore also included in dependent claims 2-10. Second, even if FIGS. 1 and 2 disclosed such a feature, the Examiner's rejection would nonetheless be inappropriate because there is no assertion that FIGS 1 and 2 disclose prior art that was in existence more than one year prior to the effective date of the present application.

Independent claim 1 includes the limitations of "a chuck having a first conductive member with a surface suitable for supporting an electrical device . . . at a location spaced apart from [a] second conductive member" where the second conductive member is "spaced apart from said chuck" and "wherein said *surface* is electrically interconnected to said second conductive member." FIG. 1 illustrates a prior art probe station having a 3-stage chuck, each stage electrically isolated from each other, where the top stage includes a surface for supporting an electrical device. FIG. 1 also illustrates a suspended guard member spaced apart from the chuck such that an electrical device supported by the top stage of the chuck would be located between the top stage and the suspended guard. A transmission line 22 is connected to the middle stage of the chuck, and a transmission line 26 branches off of line 22 to connect to the suspended guard. Because the middle stage of the chuck is electrically isolated from the top stage, however, the probe station shown in FIG. 1 does not disclose the above-recited limitation of "wherein said *surface* is electrically interconnected to said second conductive member (suspended guard of FIG. 1)."

The Examiner's rejection is premised on the incorrect assumption that FIG. 2 depicts something other than that shown in FIG. 1; it does not. As stated in the specification, FIG. 2 is nothing more than a schematic illustration of the probe station of FIG. 1 showing a large inductance loop identified by the present inventors as problematical. See Specification at p. 4, lines 1-5. Thus, although the schematic diagram of FIG. 2 shows a single block for the three-stage chuck 20, it is incorrect to assume that FIG. 2 shows the transmission line 22 electrically connected to the upper surface of the chuck.

More specifically, a rejection under 35 U.S.C. § 102 is only appropriate if the prior art identically discloses each limitation of a rejected claim. MPEP § 2131. A limitation is identically disclosed only if the prior art discloses, either expressly or inherently (i.e. necessarily), the limitation. MPEP § 2112("In relying upon a theory of inherency, the examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art.")(emphasis in original); *see also* MPEP § 2131.01("Such evidence must make clear that the missing descriptive matter is necessarily present . . .). The patent rules also caution that, when using drawings as prior art, such drawings can only anticipate claims "if they clearly show the structure which is claimed." MPEP § 2125. Thus, to support an anticipation rejection, the picture "must show all the claimed structural features and how they are put together." *Id.*

In this instance, the specification describes FIG. 2 merely as a "schematic illustration." Viewed alone, it shows no details of the chuck 20. Thus, even though the schematic drawing shows that the transmission lines 22 and 26 electrically interconnect some part of the prior art chuck to the suspended guard, one would not conclude specifically that the *surface* of the chuck is electrically connected to the suspended guard. In fact, the specification and FIG. 1, which shows a more detailed version of the chuck of FIG. 2, makes clear that the upper surface of the prior art chuck is electrically isolated from the suspended guard. Therefore, not only has the Examiner failed to show that applicant's admitted prior art either expressly or inherently discloses the limitation of "wherein said *surface* is electrically interconnected to said second conductive member", but applicant's admitted prior art actually shows the opposite; that the

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upper surface is electrically isolated from the second conductive member. Accordingly, the Examiner's rejection of claims 1-2, 4, 6, and 8 should be withdrawn.

The Examiner rejected claims 3, 5, and 10 under 35 U.S.C. § 103(a) as being obvious in view of the combination of applicant's admitted prior art and Yassine. The rejection of these claims relies upon the Examiner's previously discussed erroneous interpretation of FIG. 2, and also should be withdrawn.

In view of the foregoing remarks, the applicant respectfully requests reconsideration and allowance of claims 1-10.

Respectfully submitted,

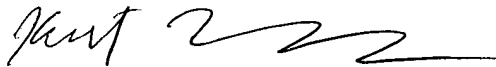


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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Dated: June 22, 2005

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**APPENDIX**

Attached is a corrected sheet depicting FIG. 2 as prior art.

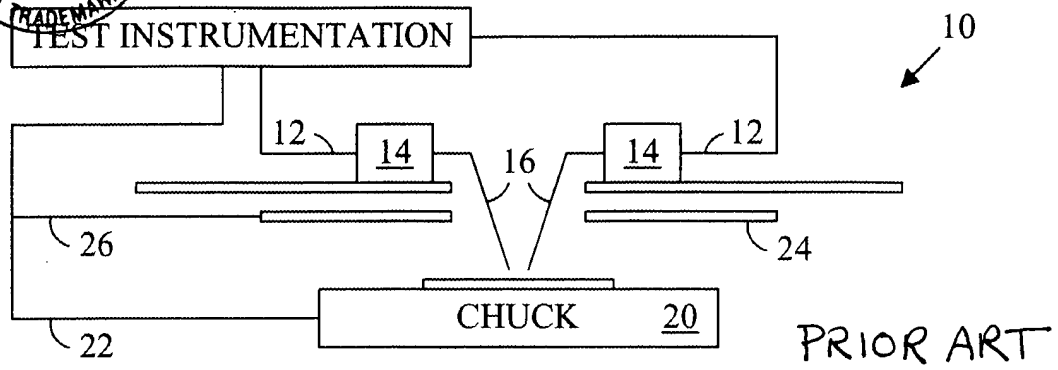
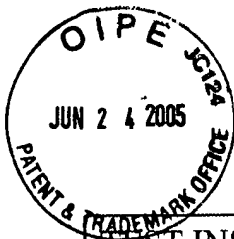


FIG. 2

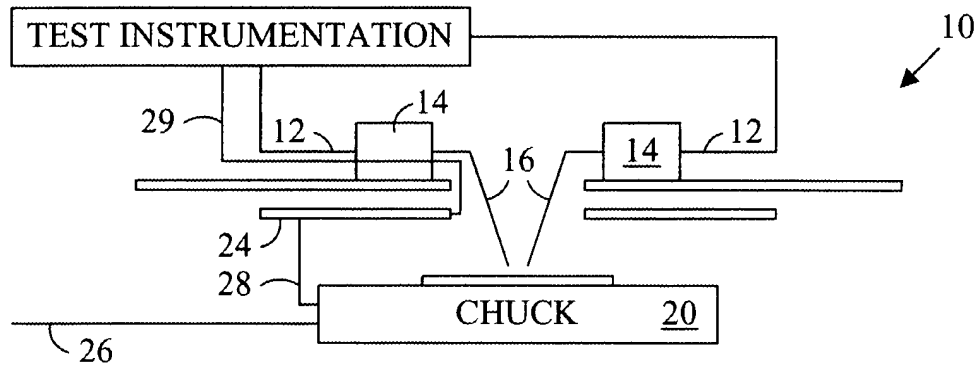


FIG. 4

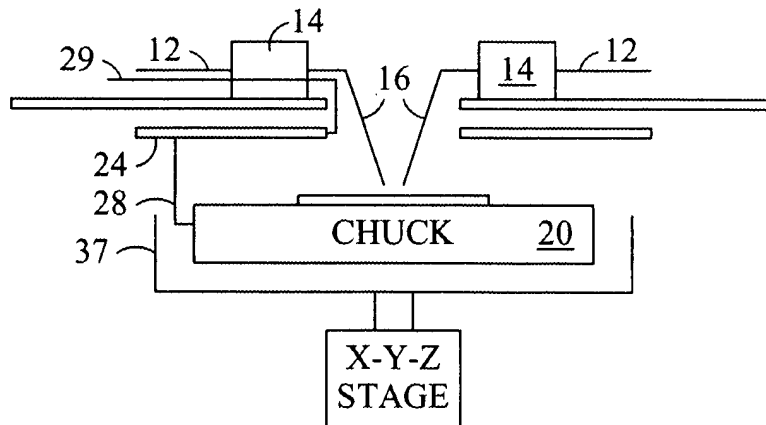


FIG. 6